

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

CRIMINAL APPEAL NO(s). 671 OF 2004

STATE OF ANDHRA PRADESH

Appellant (s)

VERSUS

HARIJANA MULINTI BHUSHANNA & ANR.

Respondent(s)

Date: 17/09/2009 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE HARJIT SINGH BEDI
HON'BLE MR. JUSTICE J.M. PANCHAL

For Appellant(s) Ms. Fathima,Adv.for
Mrs.D. Bharathi Reddy,Adv.

For Respondent(s) Mr. A. Subba Rao,Adv.

UPON hearing counsel the Court made the following
O R D E R

The appeal is dismissed.

[SUMAN WADHWA]
COURT MASTER

[VIJAY DHAWAN]
COURT MASTER

Signed order is placed on the file.
IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 671 OF 2004

STATE OF ANDHRA PRADESH

.. APPELLANT(S)

vs.

HARIJANA MULINTI BHUSHANNA & ANR.

.. RESPONDENT(S)

O R D E R

This appeal is against the order of acquittal filed by the State of Andhra Pradesh. The two primary accused A.2 and A.4 have been convicted for having committed two murders whereas the finding of the trial Court which had convicted all the accused and the High Court which had acquitted A.1 and A3 was that though A.1 and A.3 were also said to be carrying daggers in their hands, they had caused no injury to either of the two deceased and the only role attributed by them was that they had caught hold of the deceased so that the attack by the other accused could be facilitated. The High Court accordingly acquitted A.1 and A.3.

In the light of the positive finding of the High Court that there no overt act was attributable to A.1 and

A.3 we are not inclined to interfere in the order of
acquittal made by the High Court.

The appeal is dismissed.

.....J.
(HARJIT SINGH BEDI)

.....J.
(J.M. PANCHAL)

New Delhi,
September 17, 2009.